

U.S. Patent Application No. 09/896,880
Art Unit: 1756
Page 17

REMARKS

Reconsideration and continued examination of the above-identified application are respectfully requested.

The claims have been amended as described in more detail below. No search is necessitated by this amendment and no new questions of patentability should arise, since the scope of this subject matter has already been examined by the Examiner. No new matter has been added. Finally this amendment places the application in condition for allowance. Therefore, entry of this amendment is respectfully requested.

Pending Claims

Claims 19, 33, 35, 37, 39, 41, and 49 have been amended such that the recited pigment includes all of the features of allowed generic claim 1. Claims 24 and 45 have been amended such that the recited pigment includes all of the features of allowed generic claim 5. Claims 26 and 46 have been amended such that the recited pigment includes all of the features of allowed generic claim 6. Claims 21 and 42 have been cancelled in view of these amendments. New claims 56-65 have been added in view of the allowance of generic claims 5 and 6 and recite a flexographic printing plate, a thermal transfer recording material, a proofing material, a black matrix, and a non-aqueous inkjet ink composition, each comprising a pigment having all of the features of allowed generic claims 5 and 6. No new matter has been added. Thus, claims 1-3, 5-12, 14-18, 20-41, and 42-65 are pending.

Summary of the Invention

The present invention relates to modified pigment products comprising a pigment having attached at least one organic group represented by the formula -X-Sp-Alk, wherein X, which is directly attached to the pigment, represents an arylene, heteroarylene, or alkylene

U.S. Patent Application No. 09/896,880
Art Unit: 1756
Page 18

group, Sp represents a spacer group, and Alk represents an alkenyl or alkyl group containing 50-200 carbon atoms. The use of these modified pigment products in non-aqueous dispersion compositions and in several applications, including printing plates, electrophoretic displays, liquid crystal displays, and ink, coating, toner, and polymer compositions is also disclosed.

Rejection of Claims under 35 U.S.C. § 103

The Examiner has rejected claims 49-51 as being anticipated by Cooke et al. (U.S. Patent No. 6,110,994) in view of WO 99/51690.

In paragraph 3 of the Final Office Action, the Examiner states that Cooke et al. discloses a modified carbon product having attached a group having the formula $-\text{Ar}-\text{CO}_2-\text{R}$ or $-(\text{C}_n\text{H}_{2n})-\text{CO}_2-\text{R}$, wherein R (corresponding to "Alk" in the present invention) is for example a $\text{C}_{20}-\text{C}_{50}$ alkyl group, or a polymeric group such as a polyolefin group. However, the Examiner notes that Cooke et al. does not disclose a dispersion composition comprising the modified carbon product in a non-aqueous inkjet ink composition.

The Examiner therefore relies of WO 99/51690, stating that this reference teaches that modified pigment products having attached thereto an alkyl group or a polymer group such as a polyolefin group, are useful in non-aqueous ink compositions, including inkjet ink applications. The Examiner therefore concludes that it would have been obvious to one skilled in the requisite art to form a non-aqueous inkjet ink composition, as taught in WO 99/51690, utilizing the modified carbon product of Cooke et al. because it is taught that modified pigment products having alkyl or polyolefin groups attached thereto have improve dispersibility and dispersion stability in a variety of materials, including non-aqueous inkjet compositions.

In paragraph 5 of the Final Office Action, the Examiner states that claims 49-51 would be allowable if amended such that the pigment recited therein includes all of the limitations of allowed generic claims 1, 5, or 6. Therefore, while Applicant believes claims 49-51 are patentable over Cooke et al. in view of WO 99/51690, claim 49 has been amended and new claims 64 and 65 have been added, each reciting to the disclosed non-aqueous inkjet ink

U.S. Patent Application No. 09/896,880
Art Unit: 1756
Page 19

compositions and also including the features of allowed generic claims 1, 5, and 6. This amendment is made in order to place these claims in condition for allowance, and Applicant reserves the right to pursue the scope of the original claims in one or more continuing applications.

Applicant therefore believes that the rejection of claims 49-51 is moot and respectfully requests that this rejection be withdrawn.

Allowable Subject Matter

In paragraph 2 of the Final Office Action, the Examiner states that the elected species, as amended, is allowable, and, in paragraph 4, the Examiner lists claims 1-3, 5-12, and 14-18 as allowable. The Examiner further states that the scope of the examination will be expanded to additional species if they are amended such that the pigment recited therein includes all of the limitations of allowed generic claims 1, 5, or 6.

Applicant is grateful for the allowable subject matter. As suggested by the Examiner, Applicant has amended independent claims 19, 33, 35, 37, 39, and 41 to recite the features of allowed generic claim 1. Claim 49 has also been amended in this way, as discussed in more detail above. These amendments are made in order to place these claims in condition for allowance, and Applicant reserves the right to pursue the scope of the original claims in one or more continuing applications. Furthermore, dependent claims 24, 25, 45, and 46 have each been amended and are now independent claims reciting the features of allowed generic claims 5 or 6. Finally, new claims 56-63, as well as new claims 64 and 65 discussed above, have been included to recite the additional species of claims 33-34, 35-36, 37-38, 39-40, and 49-51 along with the features of allowed generic claims 5 or 6.

Therefore, Applicant believes that claims 19-65 are also in condition for allowance, along with allowed claims 1-3, 5-12 and 14-18.


U.S. Patent Application No. 09/896,880
Art Unit: 1756
Page 20

Conclusion

In view of the foregoing remarks, Applicant believes that this application is considered to be in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would further expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

By:


Dr. Robert M. Amici
Reg No. 52,554
Michelle B. Lando, Esq.
Reg. No. 33,941
CABOT CORPORATION
Law Department
157 Concord Road
Billerica, MA 01821-7001
(978)-670-7030

Date: March 9, 2005
Attorney Docket No.: 00054CIP